

# Idaho State Historical Society

## Section 106 Consultation with the Idaho State Historic Preservation Office

### 1. Initiate Section 106

**Review:** To initiate Section 106 consultation with the State Historic Preservation Office, the Federal agency (or applicant) is required to submit a cover letter with the following information and attachments. Technically, this information should come from the Federal agency, but the Federal agency occasionally authorizes applicants for Federal assistance or permits to initiate consultation with the SHPO.



The U.S. Forest Service maintains many historic fire lookouts, such as this one at Sourdough Mountain, as an enduring legacy of forest history.

If the project is taking place on Federal (e.g., U.S. Forest Service, Bureau of Land Management) or Tribal (reservation) land, or if it is a project associated with the Idaho Transportation Department (ITD), it is necessary to consult with the cultural resource professional employed by the land-managing agency, Tribe, or ITD before consulting with SHPO. If the project is taking place within the exterior boundaries of the Nez Perce Reservation, the Nez Perce THPO must be consulted.

### Cover Letter

- Name and contact information of Federal agency or agencies involved.
- Project description that clearly specifies all project components including details on:
  1. Work that will affect the physical characteristics of buildings and structures built before 1960 and their sites. For example, will windows be replaced? If so, describe the existing windows and the proposed replacement units. Will an addition be constructed onto the building? Where will it be

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located, and what will it look like? Will the building's setting be affected? Will the historic landscape be affected?

2. Work that will involve ground disturbance. For example, if the project will be replacing water lines or sewer lines, will the new lines be placed in the same trench or will it be new construction? Will other areas be used, such as staging areas, borrow sources, or disposal areas?

- Legal description (township, range, and section) or street address of the project's area of potential effects.
- Brief description of the condition of the ground surface or any information relating to past construction or heavy equipment work within the project area. Has the area been bulldozed? Is it paved or covered with lawn or dense vegetation? Were there structures located on the property in the past? To investigate, you can consult County Assessor records, fire insurance maps, owners or previous owners, or long-time citizens.
- A brief description (including age) of any buildings or structures that will be involved, altered, or removed during project construction. If the buildings or structures were built 50 or more years ago, an Idaho Historic Sites Inventory form (with accompanying photographs and a map) needs to be attached.
- Information on any historic properties known to exist in the immediate area.
- Summary of previous Section 106 Review(s) of the project, or an earlier project in the same location including dates of correspondence and project findings (if available).



Originally the federal post

[<http://www.topozone.com>]. All associated project areas,

### Attachments

- U.S.G.S. topographic map or a formal city map clearly showing the project location and project boundaries and the project's area of potential effects. Both U.S.G.S. maps and city maps are available online

office, the Sandpoint Federal Building was transferred to city ownership, then sold to a private developer who rehabilitated the historic building for retail and office space.

such as borrow or disposal areas, should also be marked. An 8.5" x 11" photocopy of the relevant section of the map is preferred. The name of the map and date should be provided on the photocopy. Telephone book maps are not acceptable.

- General photographs of the project area. Photographs should include several views that show the surrounding area. For all cell tower and wind farm projects, the photographs are to show several views to and from the proposed tower location(s). Please do not submit Polaroid photos or digital photos on disk or by email. 35mm film or digital prints are preferred.
- Specific photographs of building elements that will be modified as part of the project. Idaho Historic Sites Inventory (IHSI) form with accompanying maps and photographs for all buildings or structures built 50 or more years ago that may be affected by the project. Photographs should show all four elevations of the building, oblique views, architectural details, and overall perspectives of the surrounding area. Photographs should be submitted in an envelope or archival photographic sleeves, and must not be glued, taped, or affixed in anyway to paper. Photographs must be clearly marked on the reverse with the assigned field number and/or the subject depicted using a soft- lead pencil. Please do not submit Polaroid photos or digital photos on disk or by email. 35mm film or digital prints are preferred.
- Architectural plans, drawings, and elevations, as necessary, to describe the project.
- Any correspondence with Tribes, City or County Historic Preservation Commission or Historical Societies, or other consulting parties.

### **Survey Reports**

- If an archaeological or historical survey has already been conducted, two copies of the report (and two copies of any site records) should be attached to the cover letter and sent to SHPO. The cover letter may then provide only the Federal agency information and brief project description,

as long as the rest of the information and attachments are provided in the archaeological or historical report.

**2. SHPO Review:** After receiving the project information described above, the SHPO will check the inventory and survey records to determine if surveys have been conducted and whether archaeological sites or historic buildings and structures have been previously identified within or adjacent to the project area.

**3. SHPO Comments:** Based on the nature of the project and on the project's location, the SHPO will usually make one of the following comments. The term "historic properties" includes both archaeological sites and historic buildings and structures.



- Additional project information is needed; or
- Considering the nature of the project and the project's location, it is likely that historic properties are located within the project area that could be affected by the project. In an extraordinary program to test the feasibility of a nuclear-powered airplane, these prototype nuclear engines at the INEEL are now visible to the public. The Section 106 Review process precluded their being buried as waste. The Federal agency (or applicant) should hire a professional archaeologist, historian, or architectural historian (as appropriate) to survey the project area and evaluate any archaeological sites or historic buildings or structures. This work must follow the Secretary of the Interior's Standards for Archaeology and Historic Preservation, and the professional conducting the work must meet the Secretary of Interior's Professional Qualifications Standards (36CFR61, Appendix A); or
- *No historic properties will be affected.* Archaeological and/or historical surveys have been conducted, and no historic properties are located within the project area; or
- *No historic properties will be affected.* The project area has been surveyed, and historic properties have been recorded and evaluated for eligibility to the National Register of Historic Places. Although sites exist within or adjacent to the project area, the project will not affect them; or

- *No historic properties will be affected.* Considering the nature of the project and the project's location, it is unlikely that the project will affect historic properties; or
- *No adverse effect.* Historic properties may be affected. The project should be changed (as recommended) to avoid effects on historic properties. If the necessary changes are made, the project will have no adverse effect on historic properties; or
- *Adverse effect.* Historic properties will be affected. Additional consultation with the Idaho SHPO and the Advisory Council on Historic Preservation is necessary. The Federal agency and the SHPO, and other consulting parties, as appropriate, will develop a Memorandum of Agreement (MOA) that stipulates mitigation measures.

**4. Time Frames:** The SHPO has thirty days to comment at each step of the review process. If the SHPO receives sufficient information in the first project review package, many reviews will take only thirty days. Otherwise, additional thirty-day review periods will be required.

**5. Record Keeping:** The SHPO maintains the records and databases of all review information and site and survey reports.

Sample Checklist for Section 106 Review Information for the Idaho SHPO

Below is a sample checklist for information required by the Idaho SHPO to respond to a request for review under Section 106 of the National Historic Preservation Act. Users of a checklist like this should first be familiar with the more detailed description of each item provided in the Basic Guidance for [Section 106] Consulting with the Idaho State Historic Preservation Office found at <http://www.idahohistory.net>. For a printable version of this checklist, [click here](#). (Adobe format;



During a recent reenactment of emigrant trail travel, "Mutt and Jeff" stir up dust on

**Cover Letter**

Goodale's Cutoff of the Oregon Trail near Craters of the Moon National Monument.

- Name and contact information of Federal agency or agencies involved.
- Project description including information about work that will affect historic buildings and structures, sites, objects, and landscapes including anticipated ground disturbance.
- Legal description (township, range, and section) or street address where project will take place.
- Brief description of the ground surface conditions.
- Brief description of any buildings or structures that will be affected.
- Information on historic properties known to exist in the area.
- Summary of any previous 106 Reviews of the project or of any other projects at the same location.

**Attachments**

- U.S.G.S. topographic map or formal city map.
- General photograph of the project area.
- Specific photographs of the building elements that will be affected by the project.
- Idaho Historic Sites Inventory (IHSI) form for any buildings or structures that will be affected.
- Architectural plans, drawings, or elevations, as necessary.

**Survey Report**

- Archaeological or historical survey report, if a survey has already been completed. Two copies of the survey report and associated site records must be submitted.



A remote-sensing team sweeps the campground at Hells Gate State Park using

**Hiring an Archaeological or Historical Consultant**

Federal agencies, local governments, and applicants for Federal assistance or permits may find it necessary to obtain professional consulting services in archaeology, history, or architectural history. As a service, the Idaho SHPO

provides [lists of archaeological and historical consultants](#). (This



ground-penetrating radar to locate buried archaeological evidence of Indian habitation.

The work was completed as part of Section 106 Review prior to improving the campground facilities.

is not an endorsement of those listed nor is it a comprehensive list.)

Selecting an archaeological consultant is much like selecting consultants and contractors for other purposes.

The consultant's expertise, previous experience, record of performance, and fee should be considered.

### **1. Secretary of the Interior's Professional Qualifications:**

Does the consultant meet the Secretary of the Interior's Professional Qualifications outlined in [36CFR61](#), Appendix A for the type of investigations being conducted? There are different qualifications for archaeologist, historian, architectural historian, or historical architect. Some consulting firms have many of these disciplines represented.

**2. Previous Experience:** What is the consultant's previous experience? Does the consultant have experience and knowledge appropriate to the types of resources (i.e., archaeological sites or historic buildings) being documented? Is the consultant knowledgeable about the regional history or prehistory? Has the consultant successfully completed similar projects in the past?

**3. References:** Are references provided? Were other agencies or applicants pleased with the consultant's performance and ability to deliver a satisfactory product on schedule? Does the consultant communicate well orally and in writing?

**4. Fee:** Is the fee reasonable for the professional services being rendered?

### **Selection criteria may be established as follows:**

\_\_\_\_\_ a. Consultant meets the Secretary of the Interior's professional qualifications for archaeologist, historian, architectural historian, or historical architect, as appropriate

\_\_\_\_\_ b. Previous experience



Volunteers for the Idaho SHPO work on an excavation of a prehistoric house floor at Givens Hot Springs, near Marsing, Idaho. Archaeology has shown that Indian people established their winter camps

- \_\_\_\_\_ c. Good references near hot springs along the Snake River as early as 5000 years ago.
- \_\_\_\_\_ d. Reasonable fee
- \_\_\_\_\_ e. Other



### Traditional Cultural Property Worksheet

**Prepared by the Keeper of the National Register, National Park Service**

"Heart of the Monster" is a rock formation that relates to an important Nez Perce legend. It is recognized as a Traditional Cultural Property of the Nez Perce Tribe.

**To be eligible for listing in the National Register [NR], a traditional cultural property must:**

**Be a tangible place.** The NR does not list cultural practices or beliefs. Tangible means that you must be able to physically locate a property. It does not mean that you have to have physical, man-made features, or items at the place. A mountain, a street corner, and a pueblo are all tangible places.

**Be important to the community today** and play the same role in the community's traditions as it did in the past.

**Have been important for at least 50 years.** For example, a place where pow-wows are held now, but were not held 25 years ago, probably does not meet the 50-year rule. The use of the property, however, does not have to be continuous over the last 50 years, but there should be a pattern of use or continued value.

**Have integrity.** By regulation integrity means integrity of location, design, setting, materials, workmanship, feeling, and association. The importance of each of these elements varies depending on the nature of the property.

For TCPs, **integrity** can often be evaluated in terms of the strength of the property's association with the traditions of the community and the property's condition. The association between the place and the community's traditions must be strong. For example, if the traditional activity can be carried out anywhere, then there is no link between the activity and the place (ritual



bathing – in any stream or just in a particular spring; fishing – any local source or a specific hole or spot designated by a deity; hunting – any natural area where game is available or particular sacred hunting ground). Every year since 1832, the Seneca and Cayuga Indians have conducted specific ceremonies at what is now the Basset Grove Ceremonial Grounds in Oklahoma. This property definitely has integrity of association and location.

The property's **condition** is just as important to consider. If commercial buildings surround a TCP that should have a pristine natural environment, then the property has little integrity of condition. Integrity of condition, however, should be evaluated from the perspective of those who value or use the property. For example, a New Mexico Hispanic community has conducted traditional dances in a specific area since the early 1900s. The three-acre dance site now includes a bar, community center, and parking lot. Nevertheless, the ongoing use of the site in much the same manner as has been conducted for over the last 80 years demonstrates that the dance site still has integrity of condition for that particular tradition. If the changes had somehow forced the termination of dances there, or their relocation, the integrity of condition would be lacking, despite the fact that the Hispanic community might still regard the old site as a special location.

**Have definable boundaries.** Establishing boundaries can be a problem. In many cases, the idea that there is a "real" boundary is absurd. Nevertheless, a TCP listed in the NR must have definable, or at least defensible, boundaries.

Geological or natural formation traditional cultural properties are often problematic because it is difficult to establish where a formation begins or ends. For example, the top of a mountain is usually obvious, but where is the bottom. Knowledgeable members of the traditional community should be consulted for guidance about what criteria are important in deciding where, for example, a mountain begins or ends. Their comments should be supported by oral tradition, ethnographic evidence, or physical evidence. Perhaps the answer lies in what constitutes a mountain, or a significant place, not where does it begin and end. Is the river at the mountain's base part of the mountain or is the river its own entity distinct from the mountain? The answers will vary by community.

**Have defensible boundaries.** Defensible boundaries should be based on the characteristics of the property, how it is used, and why it is important.

**Meet NR Criteria.** Like any other property, to be listed in, or

eligible for listing in, the NR, a TCP must meet one or more of the NR criteria. TCPs do not have criteria all of their own. TCPs are almost always listed under Criterion A (and sometimes B) for their association with historical events or broad patterns of events.

**Not all TCPs are eligible for the NRHP.**

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